

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Laurian M. Lane,

Case No. 0:16-cv-00364-MJD-KMM

Plaintiff,

v.

ORDER

Carolyn W. Colvin, Commissioner of
Social Security,

Defendant.

Stephanie M. Balmer, Falsani Balmer Peterson Quinn & Beyer, counsel for
plaintiff

Gregory G. Brooker, United States Attorney's Office, counsel for defendant

The above matter comes before the Court upon the Report and
Recommendation of United States Magistrate Judge Katherine Menendez dated
September 27, 2016. Plaintiff objects to the Magistrate Judge's interpretation of
the ALJ's finding regarding conditions that were not diagnosed until after the
date of last insured. Plaintiff further objects to the Report and Recommendation
to the extent it adopts the findings of the ALJ that lack sufficient foundation in

light of the ALJ's refusal to consider medical evidence relative to conditions that were not diagnosed until after the date of last insured.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court will ADOPT the Report and Recommendation in its entirety.

IT IS HEREBY ORDERED that

1. Plaintiff's motion for summary judgment (ECF No. 13) is **DENIED**.
2. The Commissioner's motion for summary judgment (ECF No. 16) is

GRANTED.

3. The Commissioner's decision that Plaintiff is not disabled is

AFFIRMED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: December 13, 2016

s/ Michael J. Davis

Michael J. Davis

United States District Court